

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 9, 1860.—Ordered to be printed.

Mr. HAMMOND made the following

REPORT.

[To accompany Bill S. 145.]

The Committee on Naval Affairs, to whom was referred the memorial of Otway H. Berryman, praying to be allowed the amount of money paid by him in the adjustment of his accounts as purser, have had the same under consideration, and report :

That the grounds relied upon by Lieutenant Berryman are substantially those which induced Congress to grant relief to Lieutenant Charles G. Hunter, in 1858, and your committee cannot distinguish between them.

Lieutenant Berryman assumed the command of the United States schooner On-ka-hy-e in October, 1846, under an order from the Navy Department, dated the 20th October, 1846, and he immediately entered upon special duty, and performed active and arduous service in the Gulf of Mexico, to Brazil and Chagres, during twenty-two months, which was terminated by the total shipwreck of the vessel on a sunken reef, in July, 1848.

With his command he was ordered to perform the duties of purser to the vessel, and these duties he performed throughout the whole period of his command.

No adjustment of his accounts took place until his return to the United States, when it was found that he had actually expended as purser more money, by \$2,325, than he could produce the requisite vouchers for. This sum he paid to the government, and his accounts were balanced accordingly.

The memorialist alleges that he has diligently and faithfully kept and disbursed the means intrusted to him as purser, to pay the lawful liabilities of the government, and that the omission to take and return the proper vouchers for all his expenditures was alone the result of his ignorance of and his want of practice in the duties of purser.

The memorialist has a family to support, dependent upon him. He had a small landed estate, which he sold to pay his deficiency, and himself and family have thereby become subjected to great pecuniary embarrassment.

Your committee, from an examination of the memorial and its accompanying papers, and from inquiries also at the Navy Department, are satisfied that the memorialist, whose character and standing as an officer and a man are irreproachable, did faithfully disburse the means intrusted to him in the payment of the proper liabilities of the government; and that his ignorance of his accounts, and of the importance of carefully preserving vouchers for every expenditure, was due to his general want of familiarity with the duties of his incidental post of purser. He received no compensation for the performance of these duties, nor could he receive any legally. His deficiency is the result of no misapplication of the means of the government, of no want of due care and diligence in guarding and preserving them. The government has had the benefit of the expenditure and of his services—services which his education and training as an officer of the navy did not make him at all peculiarly fitting to perform. They belong wholly to another department of the navy and to men differently educated. They are imposed on officers in command of public vessels by the government for its own convenience, and it should, unless some fraud is established, bear the losses of its own neglect in not appointing the proper officer to perform these services.

The amount of disbursements by memorialist as purser, during the period referred to, for which he obtained credit at the department, were \$21,951 50.

Your committee deem it a proper case for relief, and report a bill accordingly.